

CLASSIFICATION OFFICE DECISION

Title of publication: Heils Kitchen Facebook Video

Other known title(s): Not stated

OFLC ref: 1900412.000

Medium: Video File

Producer: Not stated

Country of origin: Aotearoa New Zealand

Language: English

Applicant: Commissioner of Police

Classification:	Objectionable except if the availability of the publication is restricted to persons who have attained the age of 18 years.
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Excisions: No excisions recommended

Descriptive note: None

Display conditions: None

Date of entry in Register: 11 November 2019

Date of direction to issue a label: No direction to issue a label has been issued

Date of notice of decision: 11 November 2019

	Components	Running time
Feature(s):	Heils Kitchen Facebook Video	11:34
Total running time:		11:34

Summary of reasons for decision:

The publication is an amateur video recording that depicts three sheep being slaughtered while the cameraman makes violent threats against various other parties. It is the view of the Classification Office that the video does not promote or encourage crime to such an extent and degree that it should be objectionable. However, the depiction of the animals' death and the violent rhetoric used in association with this is likely to be shocking and disturbing to many viewers, especially children and young people, thus its unrestricted availability is likely to be injurious to the public good. The video is therefore classified objectionable unless restricted to persons aged 18 and over. While many adults are also likely to find this video disturbing, they are more likely to have the maturity and life

experience to be aware of the home kill process, and to recognise the violent, offensive and demeaning rhetoric as ‘smack talk’ by gang members. This restriction is a limitation on the right to freedom of expression but is reasonable and justified given the risk of injury to the public good. We note that this particular video does appear to raise concerns about possible direct threats to named individuals, but the response to those types of concern falls to be considered under New Zealand’s criminal law, or alternatively legislation such as the Harmful Digital Publications Act. It is also relevant to note that the nature of this video is such that it will likely breach the terms of use for major social media platforms, which may also serve to limit the online promulgation of this publication.